

Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

COBBLER NEVADA, LLC,

Plaintiff,

V.

MICHAEL WILSON, an individual,

Defendant.

Civil Action No. 15-cv-1616TSZ

REPLY IN SUPPORT OF 2ND MOTION
FOR ORDER TO SHOW CAUSE TO
RESPOND

Plaintiff respectfully submits this response in support of its second motion to show cause for Defendant's failure to respond in this case or otherwise participate in this case.

Contrary to Defendant's December 6, 2016 letter submission, and as evidenced in the proper declaration submitted by counsel (Dkt. 23), Plaintiff has made multiple attempts in writing to obtain Defendant's participation in the Court-ordered Rule 26(f) conference. Defendant has failed to provide Plaintiff with any means other than traditional written mail to communicate with Defendant, or any current address other than that listed as the return address on his court submissions: 21034 74th Ave W, Apt. 1, Edmonds, WA 98026. (See Dkt. 120, 124) This is the address used since that time in attempts to communicate with Defendant. Accordingly, Defendant's statements are false. Indeed, to date, Defendant has continued to ignore all requests, making it impossible for Plaintiff to have the Rule 26(f) conference, submit the required Joint Status Report, or even commence formal discovery to prosecute this case.

REPLY RE 2ND MOTION FOR ORDER TO SHOW
CAUSE - 1

Civil Action No. 15-cv-1616TSZ

INIP-6-0030P51 RPLY2ndMOTShowCause

LOWE GRAHAM JONES PLLC

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1 Plaintiff accordingly requests an order to show cause to show cause why Defendant should
2 not be ordered to participate in good faith in the required Rule 26(f) conference and Joint Status Report
3 preparation, and further should not be sanctioned for his failure to meet the obligation of Rule 26(f) to
4 date. This is the second motion for order to show cause.

5 RESPECTFULLY SUBMITTED this 9th day of December, 2016.

6 s/ David A. Lowe, WSBA No. 24,453

7 Lowe@LoweGrahamJones.com

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11 Attorneys for Cobbler Nevada, LLC

12 REPLY RE 2ND MOTION FOR ORDER TO SHOW
13 CAUSE - 2

14 Civil Action No. 15-cv-1616TSZ

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document has been served to all counsel or parties of record who are deemed to have consented to electronic service via the Court's CM/ECF system, and via U.S. Mail as follows:

Michael Wilson
21034 74th Ave W, Apt. 1
Edmonds, WA 98026

s/ David A. Lowe

REPLY RE 2ND MOTION FOR ORDER TO SHOW
CAUSE - 3

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